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EXAMINER

MAURO JR, THOMAS J

ART UNIT	PAPER NUMBER
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2143

DATE MAILED: 05/20/2004

Please find below and/or attached an Office communication concerning this application or proceeding.

# Office Action Summary

Application No.

09/744,020

Applicant(s)

KUROSE ET AL.

Examiner

Thomas J. Mauro Jr.

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-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

## Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

## Status

- 1) ☒ Responsive to communication(s) filed on 19 January 2001.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

## Disposition of Claims

- 4) ☒ Claim(s) 1-18 is/are pending in the application.
- 4a) Of the above claim(s) \_\_\_\_\_ is/are withdrawn from consideration.
- 5) ☐ Claim(s) \_\_\_\_\_ is/are allowed.
- 6) ☒ Claim(s) 1-17 is/are rejected.
- 7) ☒ Claim(s) 18 is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

## Application Papers

- 9) ☒ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 19 January 2001 is/are: a) ☐ accepted or b) ☒ objected to by the Examiner.  
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).  
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

## Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some \* c) ☐ None of:
- ☐ Certified copies of the priority documents have been received.
  - ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
  - ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

\* See the attached detailed Office action for a list of the certified copies not received.

## Attachment(s)

- ☒ Notice of References Cited (PTO-892)
- ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- ☒ Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)  
Paper No(s)/Mail Date 3.5.
- ☐ Interview Summary (PTO-413)  
Paper No(s)/Mail Date. \_\_\_\_\_.
- ☐ Notice of Informal Patent Application (PTO-152)
- ☐ Other: \_\_\_\_\_.

### **DETAILED ACTION**

1. Claims 1-18 are pending and are presented for examination. A formal action on the merits of claims 1-18 follows.

#### ***Drawings***

2. The drawings are objected to as failing to comply with 37 CFR 1.84(p)(5) because they include the following reference sign(s) not mentioned in the description: **505, 604, 606, 608, 610, 611, 612, 613 and 904**. A proposed drawing correction, corrected drawings, or amendment to the specification to add the reference sign(s) in the description, are required in reply to the Office action to avoid abandonment of the application. The objection to the drawings will not be held in abeyance.

#### ***Specification***

3. The disclosure is objected to because of the following informalities:
  - On page 14 line 13, “response data stream (506)”, should be replaced by “response data stream (509)”, as the reference number is incorrect.
  - On page 17 line 27, “order information 913”, should be replaced by “order information 914”, as the reference number is incorrect.

Appropriate correction is required.

***Claim Objections***

4. Claim 18 is objected to under 37 CFR 1.75(c) as being in improper form because a multiple dependent claim should refer to the other claims in the alternative only. See MPEP § 608.01(n). Accordingly, the claim has not been further treated on the merits.

***Claim Rejections - 35 USC § 112***

5. The following is a quotation of the second paragraph of 35 U.S.C. 112:

The specification shall conclude with one or more claims particularly pointing out and distinctly claiming the subject matter which the applicant regards as his invention.

6. Claims 6 and 7 are rejected under 35 U.S.C. 112, second paragraph, as being indefinite for failing to particularly point out and distinctly claim the subject matter which applicant regards as the invention.

7. Regarding claims 6 and 7, the phrase "it is possible" renders the claim indefinite because it is unclear whether the limitations following the phrase are part of the claimed invention, and thus if the invention actually exhibits such method steps. See MPEP § 2173.05(d).

***Claim Rejections - 35 USC § 102***

8. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

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A person shall be entitled to a patent unless –

(a) the invention was known or used by others in this country, or patented or described in a printed publication in this or a foreign country, before the invention thereof by the applicant for a patent.

9. Claims 1-3, 7-10 and 12 are rejected under 35 U.S.C. 102(a) as being anticipated by translation of Matsumoto et al. (JP 07-129498).

With respect to claim 1, Matsumoto teaches a processing status enquiry method of inquiring a status of processing executed by another computer, comprising the steps of:

sending a processing which a first computer requests a second computer to perform and a first identifier of the processing to the second computer [**Matsumoto -- Page 3 paragraph [0014] lines 1-4 and page 5 paragraph [0019] lines 1-8 – Demand stereo, i.e. client (first computer), publishes a remote procedure processing demand, i.e. process to a response stereo, i.e. server (second computer), along with an identifier that is generated by the client corresponding to the demand**]; and

sending the first identifier to the second computer when the first computer inquires the second computer of a status of the processing requested [**Matsumoto -- Page 3 paragraph [0014] lines 7-11 and 18-20, page 6 paragraph [0022] and paragraph [0023] lines 14-26 – Inquiry generator of client passes the identifier over a communications link to the server which returns a response, i.e. status, to the demand, i.e. process, that was published**].

With respect to claim 2, Matsumoto further teaches generating by the first computer a first identifier and storing by the first computer the first identifier on a hard disk connected to the

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first computer [Matsumoto -- Page 3 paragraph [0014] lines 1-4 and page 4 paragraph [0018] lines 8-12 – Identifier is stored in storage of computer, i.e. hard disk].

With respect to claim 3, Matsumoto further teaches wherein at least one of the first identifier and said processing includes information unique to said first computer [Matsumoto -- Page 4 paragraph [0018] lines 8-12 – Identifier, generated by client, includes information of the first computer, i.e. process initiated, and inherently contains return information of client for returning status response back to client].

With respect to claim 7, Matsumoto further teaches wherein when the first computer requests the second computer to perform the processing [Matsumoto -- Page 4 paragraph [0018] lines 4-6 – Demand stereo, i.e. client (first computer) sends demand, i.e. request for processing, to response stereo, i.e. server (second computer)], further, specifying information regarding a notification destination to which the second computer notifies a status of the processing [Matsumoto -- Page 4 paragraph [0018] lines 4-6 and page 6 paragraph [0023] lines 14-23 – Inquiry generator sends the identifier to the response stereo, i.e. server, in order to receive responses, i.e. notifications, regarding the demand's status].

With respect to claim 8, Matsumoto teaches a processing status enquiry system for inquiring a status of processing executed by another computer, comprising:

a first computer for sending a processing which the first computer requests a second computer to perform and a first identifier corresponding to said processing, to the second

computer [Matsumoto -- Page 3 paragraph [0014] lines 1-4 and page 5 paragraph [0019] lines 1-8 – Demand stereo, i.e. client (first computer), publishes a remote procedure processing demand, i.e. process to a response stereo, i.e. server (second computer), along with an identifier that is generated by the client corresponding to the demand]; and

a second computer notifying, in response to a status inquiry of the processing which is received from the first computer and which includes the first identifier, a status of the processing to the first computer [Matsumoto -- Page 3 paragraph [0014] lines 7-11 and 18-20, page 6 paragraph [0022] and paragraph [0023] lines 14-26 – Inquiry generator of client passes the identifier over a communications link to the server which returns a response, i.e. status notification, to the demand, i.e. process, that was published].

With respect to claim 9, Matsumoto teaches a processing status enquiry client computer for inquiring a status of processing performed by a server computer, comprising:

an identifier generating section for generating a first identifier corresponding to a processing for which an enquiry is issued to the server computer [Matsumoto -- Page 3 paragraph [0014] lines 1-4 and page 4 paragraph [0018] lines 8-12 – Demand identifier generation equipment generates an identifier corresponding to the demand, i.e. process, issued to the server by the client]; and

an enquiry section for sending, upon inquiring the server computer of a status of the processing, the first identifier to the server computer [Matsumoto -- Page 6 paragraph [0023] lines 14-22 – Inquiry generator, which generates inquiry commands as to the status of a demand, i.e. process, sends the identifier to the response stereo, i.e. server].

With respect to claim 10, this is a computer claim corresponding to the method claimed in claim 3. It has similar limitations; therefore, claim 10 is rejected under the same rationale.

With respect to claim 12, Matsumoto teaches a sever computer responsive to a processing status enquiry from a client computer, comprising:

a receiving section receiving a first identifier corresponding to a processing which is requested from the client computer [Matsumoto -- Drawing 4 and Page 6 paragraph [0023] lines 14-16 – Inquiry reception equipment (303) on server side procedure activation equipment (105), receives identifier passed from the client's inquiry generator equipment];

an information acquiring section acquiring, in response to a status enquiry for the processing which is received from the client computer and which includes the first identifier, information regarding a status of said processing corresponding to the first identifier

[Matsumoto -- Drawing 4 and Page 6 paragraph [0023] lines 16-19 – Inquiry reception unit uses the identifier from output queue management equipment and passes the response of the demand, i.e. process, to the remote procedure activation equipment unit]; and

a transmitting section sending the information to the client computer [Matsumoto -- Drawing 4 and Page 6 paragraph [0023] lines 19-23 – Remote procedure activation equipment (110) of procedure activation equipment (105) passes the response information to remote procedure activation equipment (108) on procedure request equipment (104). Demand stereo, i.e. client, is notified of response by the remote procedure activation equipment (108) in step 15].



***Claim Rejections - 35 USC § 103***

10. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

11. Claims 4, 11 and 17 are rejected under 35 U.S.C. 103(a) as being unpatentable over the translation of Matsumoto et al. (JP 07-129498), as applied to claims 3, 10 and 12 above respectively, in view of Dodd (U.S. 6,321,211).

Regarding claim 4, Matsumoto teaches the invention substantially as claimed, as aforementioned in claim 3 above, but fails to explicitly teach the identifier is the IP address of the client.

Dodd, however, discloses an e-commerce gift purchase and reception system which uses the recipient's IP address as an identifier to access order information [**Dodd -- Col. 5 lines 1-12 and Col. 11 lines 6-10**].

It is well known in the art of computer and networking that IP addresses are unique numbers that every computer connected to a network must have, which serves to uniquely identify one computer from another.

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Therefore, it would have been obvious to one of ordinary skill in the art at the time the invention was made to incorporate the use of an IP address as an identifier, as taught by Dodd into the invention of Matsumoto, in order to utilize a well known identification which each networked computer inherently possesses to uniquely identify a request from a client.

Regarding claim 11, this is a computer claim corresponding to the method claimed in claim 4. It has similar limitations; therefore, claim 11 is rejected under the same rationale.

Regarding claim 17, Matsumoto-Dodd teach the invention substantially as claimed, wherein said server computer is an order receiving computer in an electronic commerce (e-commerce) system [**Dodd -- Col. 1 lines 26-43 and Col. 5 lines 1-12 – Gift server, i.e. order receiving computer, is used for the purchasing of online gifts, i.e. e-commerce**].

12. Claims 5, 13 and 14 are rejected under 35 U.S.C. 103(a) as being unpatentable over the translation of Matsumoto et al. (JP 07-129498), as applied to claims 1, 12 and 13 above respectively, in view of Reilly (U.S. 6,401,150).

Regarding claim 5, Matsumoto teaches the invention substantially as claimed, as aforementioned in claim 1 above, including inquiring by the client computer the status of said process using the first identifier [**Matsumoto -- Page 3 paragraph [0014] lines 7-11 and 18-20, page 6 paragraph [0022] and paragraph [0023] lines 14-26 – Inquiry generator of client**

**passes the (first) identifier over a communications link to the server which returns a response, i.e. status, to the demand, i.e. process, that was published].**

Matsumoto fails to explicitly teach generating an identifier by the second computer, i.e. server, and sending the identifier to the first computer, i.e. host.

Reilly, however, discloses a network print system which a printer system (second computer) generates and sends job identification for a print job issued by a host (first computer) **[Reilly -- Col. 4 lines 31-44 and Col. 9 lines 23-31].**

It would have been obvious to one of ordinary skill in the art at the time the invention was made to incorporate the generation of an identifier by a server along with sending the identifier back to the host, i.e. client, as taught by Reilly into the invention of Matsumoto, in order to be used to reference print jobs and acquire further information and status **[Reilly -- Col. 4 lines 32-35].**

Regarding claim 13, this is a server claim which has limitations similar to that claimed in claim 5. Therefore, claim 13 is rejected under the same rationale.

Regarding claim 14, Matsumoto-Reilly teaches the invention substantially as claimed, as aforementioned in claim 13 above, including wherein:

said receiving section receives first identifier **[Matsumoto -- Drawing 4 and Page 6 paragraph [0023] lines 14-16 -- Inquiry reception equipment (303) on server side procedure activation equipment (105), receives identifier passed from the client's inquiry generator equipment];**

said information acquiring section acquires information regarding a state of processing corresponding to said identifier [Matsumoto -- Drawing 4 and Page 6 paragraph [0023] lines 16-19 – Inquiry reception unit uses the identifier from output queue management equipment and passes the response of the demand, i.e. process, to the remote procedure activation equipment unit]; and

said transmitting section sends said information to the client computer [Matsumoto -- Drawing 4 and Page 6 paragraph [0023] lines 19-23 – Remote procedure activation equipment (110) of procedure activation equipment (105) passes the response information to remote procedure activation equipment (108) on procedure request equipment (104). Demand stereo, i.e. client, is notified of response by the remote procedure activation equipment (108) in step 15].

13. Claims 6 and 15-16 are rejected under 35 U.S.C. 103(a) as being unpatentable over the translation of Matsumoto et al. (JP 07-129498), as applied to claims 1 and 12 above respectively, in view of Coward (U.S. 6,633,899).

Regarding claim 6, Matsumoto teaches the invention substantially as claimed, as aforementioned in claim 1 above, but fails to explicitly teach specifying to receive information regarding a status of the processing for which the second computer notifies the status of the processing without enquiry.

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Coward, however, discloses a system for dynamically providing feedback for a process being performed on a remotely located server, such that, a client when initiating the remote process, to register with a broker to receive process updates, without repetitively sending status inquiries **[Coward -- Col. 4 lines 12-50]**.

It would have been obvious to one of ordinary skill in the art at the time the invention was made to incorporate the receiving of process updates through a dynamic feedback process without sending status inquiries, as taught by Coward into the invention of Matsumoto, in order to provide continual and accurate feedback during a process so that both sides of the process may maintain control throughout the process **[Coward -- Col. 2 lines 15-18]**.

Regarding claim 15, Matsumoto teaches the invention substantially as claimed, as aforementioned in claim 12 above, but fails to explicitly teach sending the status of the processing to the client as status changes.

Coward, however, discloses a system for dynamically providing feedback for a process being performed on a remotely located server, such that, a client when initiating the remote process, to register with a broker to receive process updates automatically, without repetitively sending status inquiries **[Coward -- Col. 4 lines 12-50]**.

It would have been obvious to one of ordinary skill in the art at the time the invention was made to incorporate the receiving of process updates through a dynamic feedback process without sending status inquiries, as taught by Coward into the invention of Matsumoto, in order to provide continual and accurate feedback during a process so that both sides of the process may maintain control throughout the process **[Coward -- Col. 2 lines 15-18]**.

Regarding claim 16, Matsumoto-Coward teaches the invention substantially as claimed, storage means for storing information detailing the client computer to which status updates are to be transmitted [Coward -- Figure 1B, Col. 4 lines 42-67 – Col. 5 lines 1-9 and Col. 10 lines 6-20 – Broker computer has storage which allows entities, i.e. clients, to register with broker by providing information, such as IP addresses, in order to indicate to broker which entities, i.e. clients, should updates be transmitted].

### ***Conclusion***

14. The prior art made of record and not relied upon is considered pertinent to applicant's disclosure.

- Lynch et al. (U.S. 6,581,097) discloses a system of determining a job ticket for a print process by using transmitting a Job ID.


Any inquiry concerning this communication or earlier communications from the examiner should be directed to Thomas J. Mauro Jr. whose telephone number is 703-605-1234. The examiner can normally be reached on M-F 8:00a.m. - 4:30p.m..

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, David A. Wiley can be reached on 703-308-5221. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).



TJM  
May 12, 2004



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